

**APPLICATION FOR PERMISSION TO CHANGE POINT OF  
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JAN 19 1999

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed JAN 21 1999  
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The applicant COMLAW 445, LIMITED, A United Kingdom Corp. & Lyon County, hereby makes application for permission to change the Point of Diversion, Manner and Place of Use of a Portion of water heretofore appropriated under Claim 723 of that Certain Decree entitled, United States of America Plaintiff, vs. Alpine Land & Reservoir Company a Corporation, et al., Defendants; Civil No D-183 B  
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1. The source of water is Carson River
2. The amount of water to be changed As Decreed - 126.47 acres
3. The water to be used for municipal & domestic purposes
4. The water heretofore permitted for As Decreed
5. The water is to be diverted at the following point SE1/4 NE1/4, Section 23, T.16N., R.21E., M.D.B.&M or at a point from which the NE Corner of said Section 23 bears N 16° 42' 58" E., a distance of 2,353.00 feet.
6. The existing permitted point of diversion is located within As Decreed - Randall Ditch from the right bank of the Carson River in NE part, NW1/4 NW1/4, Section 34, T.16N., R.21E., M.D.B.&M. Refer to map on file under the Carson River Decree for existing point of diversion
7. Proposed place of use Please refer to Attachment "A"
8. Existing place of use Please refer to Attachment "B"
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from As Decreed to As Decreed of each year.
11. Description of proposed works Infiltration well along the Carson River. Said facility will be tied into existing Dayton Utilities water distribution system
12. Estimated cost of works \$100,000.00
13. Estimated time required to construct works Two (2) years
14. Estimated time required to complete the application of water to beneficial use Ten (10) years
15. Remarks: This application is being filed in order to place the decreed water rights to beneficial use within the Dayton Utilities municipal system so that they may be dedicated in accordance with the terms of the original Development Agreement for the Dayton Valley Development, a master planned community approved by Lyon County.

By Gregory M. Bilyeu  
s/ Gregory M. Bilyeu  
P.O. Box 70458  
Reno, Nevada 89570-0458

Compared gkl/CMS

WITHDRAWN BY ARMSTRONG JUL 28 2004

Protested \_\_\_\_\_

AGENT

*Zaffini, P.E.* STATE ENGINEER

*Dam*

**64779**

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OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

**7. Proposed Place of Use****T.16N., R.21E., M.D.B. & M.:**

All of Section 1; SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 2; All of Section 11; SW  $\frac{1}{4}$ , W  $\frac{1}{2}$  NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , portion of the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , portion of the W  $\frac{1}{2}$  NE  $\frac{1}{4}$ , portion of the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , portion of the NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , portion of the E  $\frac{1}{2}$  SE  $\frac{1}{4}$ , Section 12; Portion of the W  $\frac{1}{2}$  NW  $\frac{1}{4}$ , portion of the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , portion of the N  $\frac{1}{2}$  NE  $\frac{1}{4}$ , Section 13; E  $\frac{1}{2}$ , Section 14; SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , E  $\frac{1}{2}$ , Section 23; N  $\frac{1}{2}$  Section 24; Portions of the NW  $\frac{1}{4}$ , Section 26; SW  $\frac{1}{4}$ , W  $\frac{1}{2}$  SE  $\frac{1}{4}$ , portion of the SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , portion of the NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 27; E  $\frac{1}{2}$  SW  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 28; NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , N  $\frac{1}{2}$  NE  $\frac{1}{4}$ , Section 33; N  $\frac{1}{2}$  NW  $\frac{1}{4}$ , Section 34.

**T.16N., R.22E., M.D.B. & M.:**

All of Section 3; N  $\frac{1}{2}$ , N  $\frac{1}{2}$  SW  $\frac{1}{4}$ , SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , portion of the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 4; Portion of the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 5; NW  $\frac{1}{4}$ , N  $\frac{1}{2}$  NE  $\frac{1}{4}$ , portion of the S  $\frac{1}{2}$  NE  $\frac{1}{4}$ , portion of the NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , portion of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , portion of the S  $\frac{1}{2}$  SW  $\frac{1}{4}$ , Section 6; W  $\frac{1}{2}$  W  $\frac{1}{4}$ , NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , portion of the NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 9; NW  $\frac{1}{4}$  Section 16; All of Section 17; S  $\frac{1}{2}$  SW  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , S  $\frac{1}{2}$  NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$ , Section 18; All of Section 19.

**T.17N., R.21E., M.D.B. & M.:**

SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 36.

**T.17N., R.22E., M.D.B. & M.:**

S  $\frac{1}{2}$  N  $\frac{1}{2}$ , S  $\frac{1}{2}$ , Section 31; S  $\frac{1}{2}$  S  $\frac{1}{2}$ , NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 33; SW  $\frac{1}{4}$ , S  $\frac{1}{2}$  NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , portion of the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , S  $\frac{1}{2}$  SE  $\frac{1}{4}$ , Section 34.

Please utilize the map on file under Permit 62937 to illustrate the proposed place of use.

**8. Existing Place of Use - Claim 723 (216 acres)**

5.0 acres in the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 18, T.16N., R.22E., M.D.B. & M.  
33.0 acres in the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 19, T.16N., R.22., M.D.B. & M.  
33.0 acres in the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 19, T.16N., R.22E., M.D.B. & M.  
18.0 acres in the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 18, T.16N., R.22E., M.D.B. & M.  
38.0 acres in the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 18, T.16N., R.22E., M.D.B. & M.  
18.0 acres in the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 18, T.16N., R.22E., M.D.B. & M.  
47.0 acres in the N  $\frac{1}{2}$  SE  $\frac{1}{4}$ , Section 18, T.16N., R.22E., M.D.B. & M.  
24.0 acres in the SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Section 18, T.16N., R.22E., M.D.B. & M.

A total of 126.47 acres, representing the balance of Claim 723 not previously changed by Permit 53289 is being removed from irrigation under this change application as delineated below:

9.2 acres in the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 18, T.16N., R.22E., M.D.B. & M.  
14.19 acres in the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 18, T.16N., R.22E., M.D.B. & M.  
12.9 acres in the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 18, T.16N., R.22E., M.D.B. & M.  
18.7 acres in the NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 18, T.16N., R.22E., M.D.B. & M.  
21.12 acres in the SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Section 18, T.16N., R.22E., M.D.B. & M.  
25.3 acres in the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 19, T.16N., R.22E., M.D.B. & M.  
25.06 acres in the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 19, T.16N., R.22E., M.D.B. & M.

The place of use previously stripped under Claim 723 is illustrated on the map filed in support of Permit 53285. Please utilize said map along with the map under the Carson River decree for the existing place of use.

After this change, there will be 15.64 acres remaining within the following subdivisions

7.70 acres in the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 19, T.16N., R.22E., M.D.B. & M.  
7.94 acres in the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 19, T.16N., R.22E., M.D.B. & M.

This remaining acreage was previously stripped under withdrawn Application 61216. A change application is being filed to transfer this remaining portion to the golf course.